

JC966 U.S. PTO  
02/01/01

## UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.  
60016-0011

A

JC979 U.S. PTO  
02/01/01

## TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, Tonny YU, entitled USING AN INTERMEDIARY TO MANAGE UNWANTED ELECTRONIC MESSAGES, for a(n):

- (X) Original Patent Application.
- ( ) Continuing Application (prior application not abandoned):  
 ( ) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)  
 of prior application No: \_\_\_\_\_ Filed on: \_\_\_\_\_  
 ( ) A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

- (X) Specification 78 Total Pages; (X) Drawing(s) 18 Total Sheets; (X) Cover Sheet 1 Page  
 (X) Oath or Declaration: 2 Pages  
 (X) A Newly Executed Combined Declaration and Power of Attorney:  
 (X) Signed. ( ) Unsigned. ( ) Partially Signed.  
 ( ) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).  
 ( ) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.  
 ( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).  
 ( ) Power of Attorney. (X) Return Receipt Postcard.  
 ( ) Associate Power of Attorney. (X) A Check in the amount of \$1277.00 for the Filing Fee.  
 ( ) Preliminary Amendment. ( ) Information Disclosure Statement and Form PTO-1449.  
 (X) Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)  
 ( ) A Duplicate Copy of this Form for Processing Fee Against Deposit Account.  
 ( ) A Certified Copy of Priority Documents (if foreign priority is claimed).  
 (X) Applicant(s) is entitled to small entity status. See 37 CFR 1.27.  
 ( ) Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.  
 (X) Recordation of Assignment Cover Sheet and **executed** Assignment.  
 ( ) Other: \_\_\_\_\_

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	78	58	\$9.00	\$ 522.00
Independent Claims	12	8	\$40.00	\$ 360.00
Multiple Dependent Claims (if applicable)				
Assignment Recording Fee				
Basic Filing Fee				
				Total Filing Fee \$1277.00

Charge \$\_\_\_\_\_ to Deposit Account 50-1302 pursuant to 37 CFR § 1.25. Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:   
 CRAIG G. HOLMES,  
 Attorney of Record, Reg. No. 44,770

Date: February 1, 2001

Correspondence Address:

Hickman Palermo Truong & Becker, LLP  
 1600 Willow Street  
 San Jose, California 95125-5106  
 Telephone: (408) 414-1080  
 Facsimile: (408) 414-1076

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Box Patent Applications  
 Commissioner for Patents  
 Washington, D.C. 20231

By: Tirena Say  
 Typed Name: TIRENA SAY

Express Mail Label No.: EL652871809US

Date of Deposit: February 1, 2001

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision,  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R. §§ 1.27 AND 1.28

TOTAL AMOUNT OF PAYMENT (\$ 1277.00)

Complete if Known	
Application Number	NYA
Filing Date	February 1, 2001
First Named Inventor	Tonny YU
Examiner Name	NYA
Group/Art Unit	NYA
Attorney Docket No.	60016-0011

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																																									
1. <input checked="" type="checkbox"/> Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.		<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Fee \$</th> <th>Small Entity Fee Code</th> <th>Fee \$</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge – late filing fee or oath</td> <td></td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge – late provisional filing fee or cover sheet.</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>390</td> <td>216</td> <td>195</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>890</td> <td>217</td> <td>445</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,390</td> <td>218</td> <td>695</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,890</td> <td>228</td> <td>945</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>310</td> <td>219</td> <td>155</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>310</td> <td>220</td> <td>155</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>270</td> <td>221</td> <td>135</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive – unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,210</td> <td>241</td> <td>605</td> <td>Petition to revive – unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,210</td> <td>242</td> <td>605</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>430</td> <td>243</td> <td>215</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>580</td> <td>244</td> <td>290</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>126</td> <td>240</td> <td>126</td> <td>240</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td>40.00</td> </tr> <tr> <td>146</td> <td>690</td> <td>246</td> <td>345</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>690</td> <td>249</td> <td>345</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td colspan="4">Other fee (specify) _____</td> <td colspan="2"></td> </tr> <tr> <td colspan="4">Other fee (specify) _____</td> <td colspan="2"></td> </tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td colspan="2">SUBTOTAL (3) (\$ 40.00)</td> </tr> <tr> <td colspan="6">SUBMITTED BY <span style="float: right;">Complete if applicable</span></td> </tr> <tr> <td>Name (Print/Type)</td> <td colspan="3">CRAIG G. HOLMES</td> <td>Registration No. (Attorney/Agent)</td> <td>44,770</td> </tr> <tr> <td>Signature</td> <td colspan="3"></td> <td>Telephone</td> <td>(408) 414-1080</td> </tr> <tr> <td>Date</td> <td colspan="5">February 1, 2001</td> </tr> </tbody> </table>				Large Entity Fee Code	Fee \$	Small Entity Fee Code	Fee \$	Fee Description	Fee Paid	105	130	205	65	Surcharge – late filing fee or oath		127	50	227	25	Surcharge – late provisional filing fee or cover sheet.		139	130	139	130	Non-English specification		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	390	216	195	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month		128	1,890	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive – unavoidable		141	1,210	241	605	Petition to revive – unintentional		142	1,210	242	605	Utility issue fee (or reissue)		143	430	243	215	Design issue fee		144	580	244	290	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	240	126	240	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00	146	690	246	345	Filing a submission after final rejection (37 CFR § 1.129(a))		149	690	249	345	For each additional invention to be examined (37 CFR § 1.129(b))		Other fee (specify) _____						Other fee (specify) _____						*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 40.00)		SUBMITTED BY <span style="float: right;">Complete if applicable</span>						Name (Print/Type)	CRAIG G. HOLMES			Registration No. (Attorney/Agent)	44,770	Signature				Telephone	(408) 414-1080	Date	February 1, 2001				
Large Entity Fee Code	Fee \$	Small Entity Fee Code	Fee \$	Fee Description	Fee Paid																																																																																																																																																																																																						
105	130	205	65	Surcharge – late filing fee or oath																																																																																																																																																																																																							
127	50	227	25	Surcharge – late provisional filing fee or cover sheet.																																																																																																																																																																																																							
139	130	139	130	Non-English specification																																																																																																																																																																																																							
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																							
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																							
115	110	215	55	Extension for reply within first month																																																																																																																																																																																																							
116	390	216	195	Extension for reply within second month																																																																																																																																																																																																							
117	890	217	445	Extension for reply within third month																																																																																																																																																																																																							
118	1,390	218	695	Extension for reply within fourth month																																																																																																																																																																																																							
128	1,890	228	945	Extension for reply within fifth month																																																																																																																																																																																																							
119	310	219	155	Notice of Appeal																																																																																																																																																																																																							
120	310	220	155	Filing a brief in support of an appeal																																																																																																																																																																																																							
121	270	221	135	Request for oral hearing																																																																																																																																																																																																							
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																							
140	110	240	55	Petition to revive – unavoidable																																																																																																																																																																																																							
141	1,210	241	605	Petition to revive – unintentional																																																																																																																																																																																																							
142	1,210	242	605	Utility issue fee (or reissue)																																																																																																																																																																																																							
143	430	243	215	Design issue fee																																																																																																																																																																																																							
144	580	244	290	Plant issue fee																																																																																																																																																																																																							
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																																							
123	50	123	50	Petitions related to provisional applications																																																																																																																																																																																																							
126	240	126	240	Submission of Information Disclosure Stmt																																																																																																																																																																																																							
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00																																																																																																																																																																																																						
146	690	246	345	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																																							
149	690	249	345	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																																							
Other fee (specify) _____																																																																																																																																																																																																											
Other fee (specify) _____																																																																																																																																																																																																											
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 40.00)																																																																																																																																																																																																							
SUBMITTED BY <span style="float: right;">Complete if applicable</span>																																																																																																																																																																																																											
Name (Print/Type)	CRAIG G. HOLMES			Registration No. (Attorney/Agent)	44,770																																																																																																																																																																																																						
Signature				Telephone	(408) 414-1080																																																																																																																																																																																																						
Date	February 1, 2001																																																																																																																																																																																																										
<b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																																																																																																																																																																																																											

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Tonny YU
Title	USING AN INTERMEDIARY TO MANAGE UNWANTED ELECTRONIC MESSAGES
Atty. Docket Number	60016-0011

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

02/01/01

Date



CRAIG G. HOLMES  
Attorney of Record  
Registration No. 44,770

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231